

ITEM # \_\_\_\_\_

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** 1711 TIMOCUAN WAY REZONE

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Tony Walter <sup>TW</sup> **CONTACT:** Chris Schmidt **EXT.** 7440

**Agenda Date** 01/11/06 **Regular** ☐ **Work Session** ☐ **Briefing** ☐  
**Special Hearing – 6:00** ☐ **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

1. Recommend APPROVAL of a request to rezone approximately 1.03 ± acres from A-1 (Agriculture District) to M-1A (Very Light Industrial District), located at 1711 Timacuan Way, based on staff findings, (George Kosmac, applicant); or
2. Recommend DENIAL of a request to rezone approximately 1.03 ± acres from A-1 (Agriculture District) to M-1A (Very Light Industrial District), located at 1711 Timacuan Way, based on staff findings, (George Kosmac, applicant); or
3. CONTINUE the item to a time and date certain.

District 4 – Commissioner Henley

Chris Schmidt, Senior Planner

**BACKGROUND:**

The applicant is requesting to rezone 1.03 ± acres from A-1 (Agriculture District) to M-1A (Very Light Industrial District). The requested zoning would allow light manufacturing on the subject site. Under the current A-1 zoning designation, 1 dwelling unit per net buildable acre is permitted. Manufacturing however, would not be permitted under the A-1 zoning designation.

<b>Reviewed by:</b>
<b>Co Atty:</b> <u>KC</u>
<b>DFS:</b> _____
<b>OTHER:</b> _____
<b>DCM:</b> _____
<b>CM:</b> _____
<b>File No. <u>Z 2005-062</u></b>

The Future Land Use designation of the subject site is IND (Industrial), which allows C-3, C-2, C-1, M-1A, M-1, M-2, A-1, OP, PUD, PCD, and PLI zoning districts. The applicant intends to rezone the property to M-1A and market the site.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of a request to rezone approximately 1.03 ± acres from A-1 (Agriculture District) to M-1A (Very Light Industrial District), located at 1711 Timacuan Way, based on staff findings.

**Attachments:**

Staff Analysis  
Location Map  
FLU/Zoning Map  
Aerial Photo  
Ordinance

## Timacuan Way (1711) / Z2005-062

### Rezone from A-1 to M-1A

<b>APPLICANT</b>	George Kosmac, Deputy Superintendent	
<b>PROPERTY OWNER</b>	Seminole County School Board	
<b>REQUEST</b>	Rezone from A-1 (Agriculture District) to M-1A (Very Light Industrial District)	
<b>PROPERTY SIZE</b>	1.03 ± acres	
<b>HEARING DATE (S)</b>	P&Z: January 11, 2006	BCC: February 28, 2006
<b>PARCEL ID</b>	21-20-30-5AP-0000-064R	
<b>LOCATION</b>	1711 Timacuan Way	
<b>FUTURE LAND USE</b>	IND (Industrial)	
<b>ZONING</b>	A-1 (Agriculture District)	
<b>FILE NUMBER</b>	Z2005-062	
<b>COMMISSION DISTRICT</b>	#4 - Henley	

### Proposed Development:

The applicant is proposing to rezone the site for resale.

### ANALYSIS OVERVIEW:

#### **ZONING REQUEST**

The applicant, George Kosmac, is requesting to rezone 1.03 ± acres from A-1 (Agriculture District) to M-1A (Very Light Industrial District). The subject site is located at 1711 Timacuan Way. The Future Land Use designation of the subject site is IND (Industrial), which permits a maximum 0.65 FAR. The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture District) and the requested district of M-1A (Very Light Industrial District):

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Zoning (M-1A)</b>
Minimum Lot Size	43,560 square feet	N/A
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150 feet	None
Front Yard Setback	50 feet	50 feet
Side Yard Setback	30 feet	10 feet
(Street) Side Yard Setback	25 feet	50 feet
Rear Yard Setback	10 feet	10 feet
Maximum Building Height	35 feet	35 feet

## PERMITTED & SPECIAL EXCEPTION USES

The following tables depict the permitted and special exception uses within the existing and proposed zoning districts:

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
A-1 (existing)	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	1 acre

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
M-1A (proposed)	<p>Manufacturing of the following: Garments; Photographic equipment and supplies; Bakery products; Boats; Ceramics, pottery, using electrically fired kilns; chemical products and processing; Dairy products; Electrical machinery and equipment; Furniture; Glass and glass products; Pharmaceutical products; Shoes and leather goods; Brooms and brushes; Candy and confectionery products; Cosmetics and toiletries; Candles; Jewelry; Optical equipment; Perfume; Precision instruments and machinery; Plastic products; Silverware; Spices and spice packing; Stationery; Toys; Electronic equipment and assembling. Beverage bottling and distribution. Cold storage and frozen-food lockers. Data proceeding services. Laundry and dry cleaning, except only nonflammable solvents shall be used. Living quarters for guards, custodians, and caretakers when such facilities are accessory uses to the primary use of the premises. Machine shops using only electrically fired forges. Assembling of metal, plastic, or cardboard containers. Post offices. Printing, bookbinding, lithographic platemaking, engraving, and publishing plants. General business and professional offices. Radio and television studios and offices. Restaurants. Signs, identification, directional, or which advertise products manufactured, processed, stored, or sold on the premises. Technical and trade schools. Testing of materials, equipment, and products. Truck terminals. Warehouses and storage buildings, providing no storage is done outside an enclosed structure. Manufacturing of water-</p>	<p>Heliports and airports; recreational facilities provided by an employer within the district for the exclusive use of employees, their families, and guests; Public and private elementary schools, middle schools, and high schools; Communication towers when lattice or guyed in design; Communication towers when monopole in design if the tower is one hundred forty (140) feet or over in height.</p>	N/A

	based and/or epoxy-based coatings, adhesives, sealants, and paints. Medical clinics - out-patient service only. Public and private utility plants, stations and distribution office; with restrictions. Cabinetry and woodworking shops. Communication towers when camouflage in design. Communication towers when monopole in design if the tower is under one hundred forty (140) feet in height. Retail sales if ancillary to a use permitted by this section. For purposes of this subsection, "ancillary" shall mean supplementary, or secondary, not of primary importance.		
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#### COMPATIBILITY WITH SURROUNDING PROPERTIES

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)			
<b>IND</b> General Commercial C-3	<b>IND</b> Single-Family A-1 (1 acre lots) (816 sq. ft. residence)	<b>IND</b> Single-Family A-1 (1 acre lots) (1,530 sq. ft. residence)	
(West)	<b>IND</b> General Commercial C-3	<b>IND</b> Single-Family A-1 (1 acre lots)	(East)
	<b>IND</b> General Commercial C-3	<b>IND</b> Very Light Industrial M-1A	<b>REC</b> Vacant A-1
(South)			

\* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject

property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

## **SITE ANALYSIS:**

### **ENVIRONMENTAL IMPACTS**

#### *Floodplain Impacts:*

Based on FEMA map #564 Florida Quadrangle Map, there appear to be no floodplains located on the subject site. Compliance with the Land Development Code regarding flood prone areas is required prior to the issuance of any building permits.

#### *Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject site. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

#### *Endangered and Threatened Wildlife:*

Based on preliminary analysis, there are no endangered and threatened wildlife on the subject site. A threatened and endangered study along with a species of special concern survey will be required prior to final engineering approval.

### **PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3) (c), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant is required to undergo Concurrency review prior to final engineering approval.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	700	5800	5100
Sewer (GPD)	700	4600	3900
Traffic (ADT)	19	52	33
Schools			
Elementary	1	0	-1
Middle	1	0	-1
High	1	0	-1

\* Proposed development on straight zoning is based on the permitted FAR of 0.65 using gross acreage.

#### *Utilities:*

The site is located in the service area of Seminole County and will be required to connect to public utilities. There is an 8-inch water main on the east side of Timacuan Way. There is a 12-inch force main on the west side of Timacuan Way. This parcel is in the ten-year master plan for reclaimed water. A separate irrigation system will be required. An alternative source for water, such as a shallow well, will be required until reclaimed water becomes available. A letter of capacity and intent from Seminole County for water, wastewater and reclaimed water service is required at the time of Concurrency review, and approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

#### *Transportation / Traffic:*

The site accesses Timacuan Way, which is classified as a 2-lane local road. Staff has determined that no off-site improvements are required. Timacuan Way is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

#### *School Impacts:*

The proposed project will consist of M-1A (Very Light Industrial District) uses and will not generate any school age children.

#### *Public Safety:*

The nearest response unit to the subject site is Station # 17, which is located at 400 Wayman Street. Based on a response time of 2 minutes per mile, the estimated response time to the subject site is 4.2 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

#### *Drainage:*

The proposed project is located within the Soldiers Creek drainage basin. This will be further evaluated in more detail prior to final engineering approval.

#### *Parks, Recreation and Open Space:*

In accordance with Section 30.1344 of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in common open space. Per Section 30.1344 (e), the common open space may include landscape buffers, as well as the preservation of floodplain areas, wetlands and other natural resources.



**APPLICABLE POLICIES:**

**FISCAL IMPACT ANALYSIS**

This project does not warrant running the County Fiscal Impact Analysis Model.

**SPECIAL DISTRICTS**

The subject site is not within any Special Districts.

**COMPREHENSIVE PLAN (VISION 2020)**

The following policies are applicable with the proposed project:

Policy FLU 2.5	Transitional Land Uses
Policy POT 4.5	Potable Water Connection
Policy SAN 4.4	Sanitary Sewer Connection
Policy PUB 2.1	Public Safety Level-of-Service

**INTERGOVERNMENTAL NOTIFICATION:**

Intergovernmental notices were not sent; the subject site is not within or directly adjacent to any local municipality and will not impact schools.

**LETTERS OF SUPPORT OR OPPOSITION:**

At this time, Staff has received no letters of support or opposition.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request to rezone 1.03 ± acres from A-1 (Agriculture District) to M-1A (Very Light Industrial District), located at 1711 Timacuan Way.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE DISTRICT) ZONING CLASSIFICATION THE M-1A (VERY LIGHT INDUSTRIAL DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Timacuan Way (1711) Rezone".

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from A-1 (Agriculture District) to M-1A (Very Light Industrial District):

Beginning 985.56 feet W of SE corner of Lot 66 Run N 40 Degrees 31 Min 21 Sec W 868.08 feet S 550.56 ft E 198.01 ft S 73 degrees 42 Minutes 1 Second E 395.43 feet to beginning (\*Less N 180 feet + S 170.38 feet measured along W Line) Spring Hammock PB2, Pg 2

**Section 3. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 4. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #     in the Official Land Records of Seminole County.

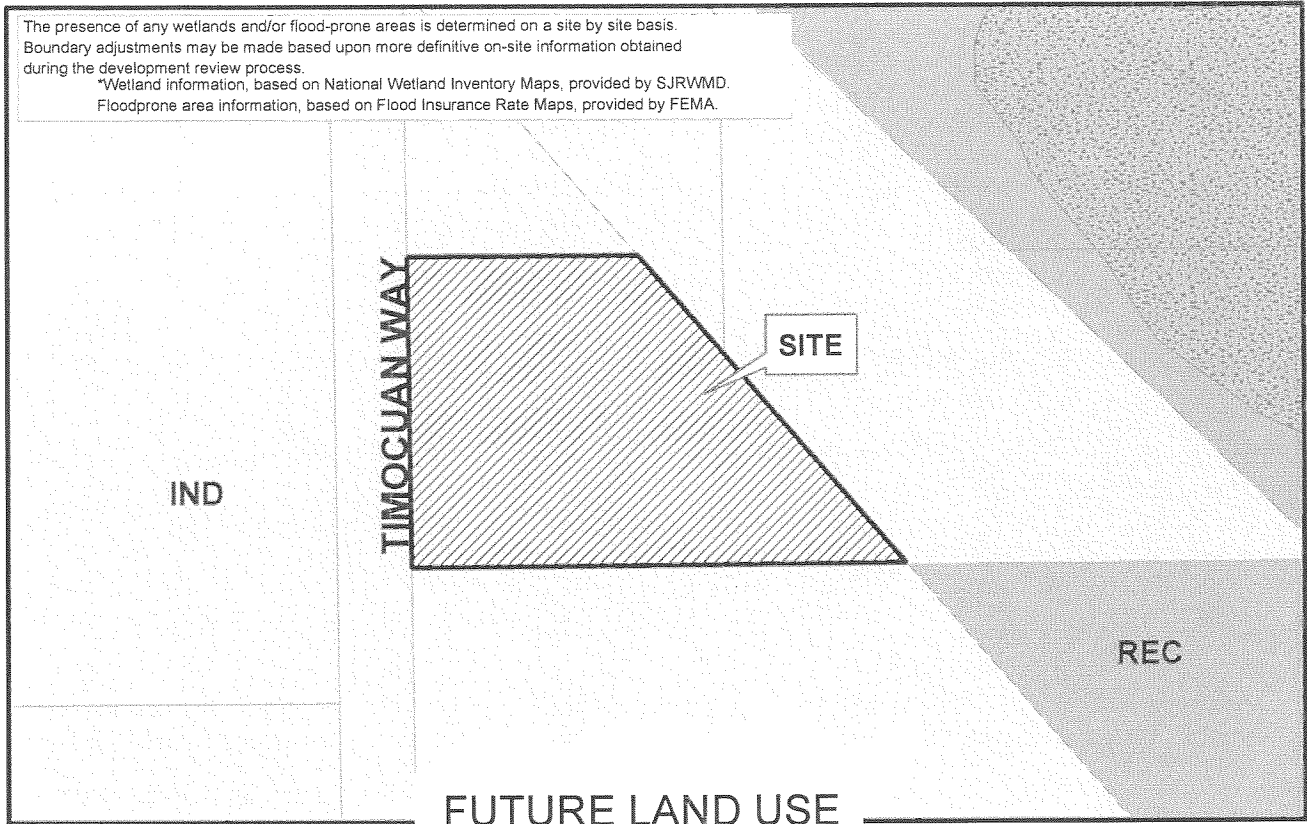
ENACTED this 28th day of FEBRUARY 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman



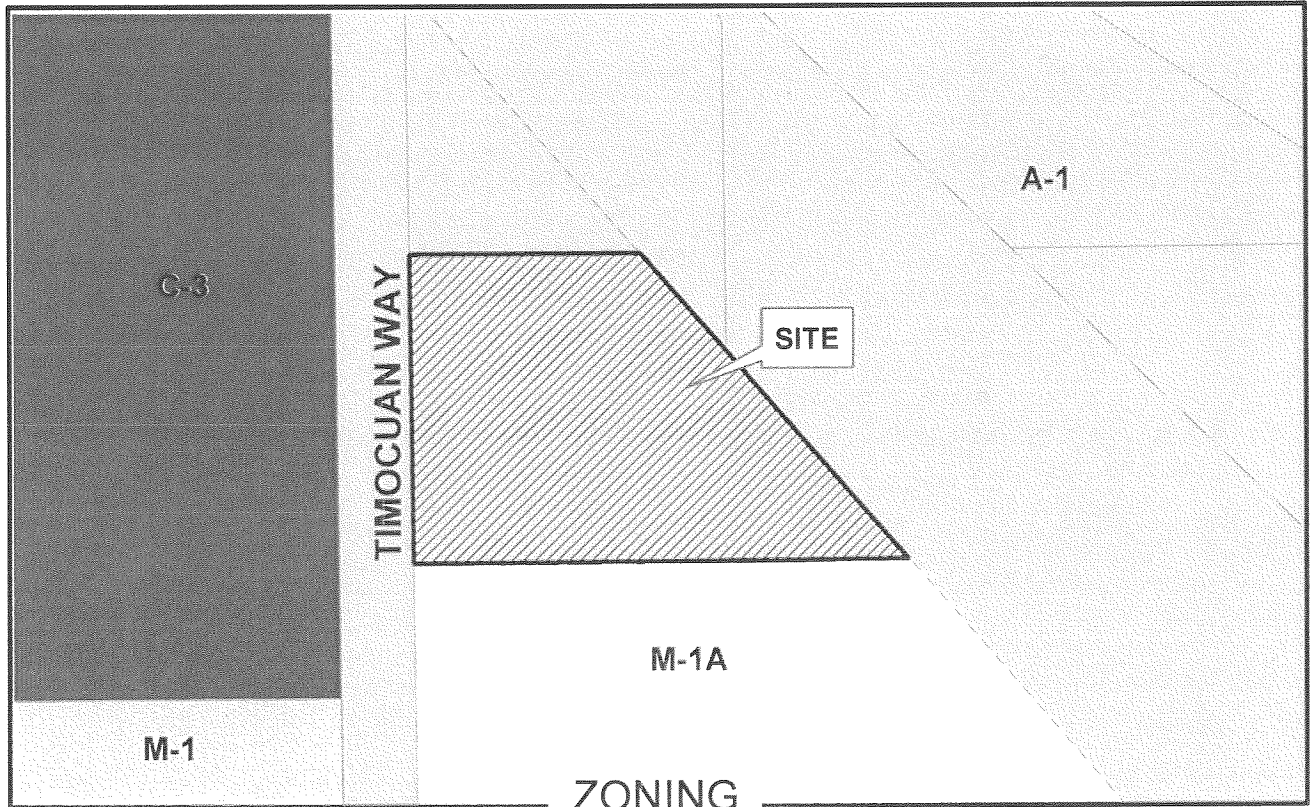
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site  
 Municipality  
 IND  
 REC  
 CONS

Applicant: George Kosmack, Deputy Sup.  
 Physical STR: 21-20-30-5AP-0000-064R  
 Gross Acres: 1.99      BCC District: 4  
 Existing Use: Vacant Wasteland  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-062	A-1	M-1A




A-1  
 C-3  
 M-1A  
 M-1  
 FP-1  
 W-1





Rezone No: Z2005-062

From: A-1 To: M-1A

 Parcel

 Subject Property



January 2004 Color Aerials